

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAMES DUFF LYALL et al.,

Plaintiffs,

v.

CITY OF LOS ANGELES, a public entity, et al.,

Defendants.

} Case No. CV09-07353 MAN
Case No. CV10-6976 MAN

**[PROPOSED] JUDGMENT
AFTER TRIAL BY JURY**

Trial Date: May 6, 2013
Time: 9:00am
Ctrm: 580 (Roybal)

ELIZABETH LOPEZ et al.,

Plaintiffs,

v.

CITY OF LOS ANGELES, a public entity, et al.,

Defendants.

**TO THE HONORABLE COURT, TO PLAINTIFFS AND TO THEIR COUNSEL
OF RECORD THEREIN:**

On May 6, 2013, the foregoing matter was called for trial in Courtroom 580 of the United States District Court, the Honorable Magistrate Judge Margaret A. Nagle presiding. The

1 parties answered ready for Trial. On May 6, 2013, a panel of jurors was called and sworn.
2

3 The case was tried to the jury and on May 10, 2013, the case was then submitted to
4 the jury for deliberation.

5 On May 10, 2013, the jury returned a unanimous verdict as follows:
6

7 We, the jury, answer the questions submitted to us as follows:
8

9 **QUESTION NUMBER 1**

10 Do you find that plaintiffs proved by a preponderance of the evidence that any defendant
11 police officer caused the unreasonable detention of any of the following plaintiffs?

12 Answer: Yes _____ No X
13

14 If you answered “yes” to Number 1, please place an “X” next to the name of each plaintiff
15 below you find was unreasonably detained and below that individual’s name, place an “X”
16 next to the name of the officer or officers who caused the unreasonable detention. If you
17 answered “no” to Question Number 1, proceed to Question Number 2.
18

19
20

21 **QUESTION NUMBER 2**

22 Do you find that plaintiff Joseph Holiday proved by a preponderance of the evidence that
23 any defendant police officer caused him to be arrested without probable cause?

24 Answer: Yes _____ No X
25

26 If you answered “yes” to Number 2, please place an “X” next to the name of the officer or
27 officers who caused plaintiff Joseph Holiday to be arrested without probable cause. If you
28 answered “no” to Question Number 2, proceed to Question Number 3.

1
2
QUESTION NUMBER 3

3 Do you find that plaintiffs proved by a preponderance of the evidence that any defendant
4 police officer caused any of the following plaintiffs to be unreasonably searched?

5 Answer: Yes _____ No X
6
7

8 If you answered "yes" to Number 3, please place an "X" next to the name of each plaintiff
9 below who you find was unreasonably searched and below that individual's name, and place
10 an "X" next to the name of the officer or officers who caused the unreasonable search. If
11 you answered "no" to Question Number 3, proceed to Question Number 4.
12
13
14

15 **QUESTION NUMBER 4**

16 Do you find that plaintiffs proved by a preponderance of the evidence that any defendant
17 police officer caused any plaintiff's First Amendment rights to be violated?

18 Answer: Yes _____ No X
19
20

21 If you answered "yes" to Number 4, please place an "X" next to the name of each plaintiff
22 below whose First Amendment right you find were [sic] violated and below that individual's
23 name, place an "X" next to the name of the officer or officers who caused the First
24 Amendment violation. If you answered "no" to Question Number 4, proceed to Question
Number 5.
25
26
27
28

QUESTION NUMBER 5

Did plaintiffs prove by a preponderance of the evidence that any defendant intentionally interfered with any plaintiff's civil rights by threats, intimidation, or coercion?

Answer: Yes No X

If you answered “yes” to Number 5, please place an “X” next to the name of each plaintiff below whose civil rights you find were interfered with by threats, intimidation, or coercion and place an “X” next to the name of the defendant(s) who intentionally interfered with his or her civil rights by threats, intimidation or coercion.

• • • •

Dated: 5-10-13

/S/

FOREPERSON

ORDER

Therefore, **IT IS HEREBY ORDERED, DECREED AND ADJUDGED** that judgment on the merits be entered in favor of Defendants, **CITY OF LOS ANGELES, NICHOLAS CHO, JOHNNY CERVANTES, and DAVID ROSS** and against Plaintiffs **JAMES DUFF LYALL, JOSEPH HOLLIDAY, BENJAMIN WOOD, SASHA COSTAZA-CHOCK, MAGNOLIA BECERRA, ELIZABETH LOPEZ, AND JESSICA RODRIGUEZ** (Javier Cortez and D'Angelo Jones having been dismissed, with prejudice, prior to the commencement of trial upon agreement for both parties), that the Plaintiff take nothing; and that the Defendants, **CITY OF LOS ANGELES, NICHOLAS CHO, JOHNNY CERVANTES, and DAVID ROSS**, as the

1 prevailing parties, shall be entitled to recover their costs reasonably incurred in defense
2 of this action per the cost bill in the amount of \$_____.

3 (To be determined from the Bill of Costs.)
4

5
6 Dated: May 28, 2013

Margaret A. Nagle

7 MARGARET A. NAGLE
8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
UNITED STATES MAGISTRATE JUDGE